

**GENERAL WAIVER COVER SHEET**  
**CALIFORNIA STATE BOARD OF EDUCATION**  
**JANUARY 2004 AGENDA**  
**Item No. W-22**

<b>TITLE:</b> Request by <b>Tamalpais Union High School District</b> to waive <i>Education Code</i> (EC) Sections 62002 (sunset provision) and 52012, relating to the composition of a school site council (SSC). Waiver will allow the use of Department Chairs on the SSC, even though they are not “elected” by teachers.  <b>CDSIS:</b> 1-11-2003	<u>  <b>X</b>  </u> <b>ACTION</b> <u>      </u> <b>INFORMATION</b> <u>      </u> <b>PUBLIC HEARING</b> <u>      </u> <b>CONSENT</b>
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**RECOMMENDATION:**

The Department recommends ☒ **Approval** *Education Code* (EC) Section 33051(c) will apply.

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**Summary of Previous State Board of Education Discussion and Action:**

The Board has approved requests from other districts relating to the selection of school site council members, however there has never been a waiver of this particular type requested.

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**Summary of Key Issue(s):**

Tamalpais Union High School District is requesting a waiver of *Education Code* (EC) Sections 52012 and 62002 (sunset provision) with regard to the method of selection of the teacher members of a school site council. Sir Francis Drake High School has a 32-member school site council. The teachers on this group are the ten Department Chairmen and three elected at-large teachers.

The council conforms to all membership requirements of the *Education Code* except that teachers do not directly elect the Department Chairs. An interview process selects the Department Chairs; teachers are part of the interview panel. The district states that this structure has been in place for many years and has proven effective in school improvement efforts.

The union supports this request, in fact this membership structure is a part of the districts’ negotiated contract with its teacher organization..

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Drake is a California Distinguished School and a New American High School.

Bargaining unit(s) consulted on: 10/16/03, 10/21/03 and 10/23/03

Position of bargaining unit (choose only one):

☐

Neutral

☒

Support

☐

Oppose

Name of bargaining unit representative: Patrick Gaynor and Britt Block, co-presidents

Public hearing identified by (choose one or more):

☒ posting in a newspaper      ☒ posting at each school      ☒ other

Public hearing held on: 10/28/03

Local board approval date: 10/28/03

Advisory committee(s) consulted:

Objections raised (choose one): ☒ None      ☐ Objections are attached on  
separate sheet

Date consulted: 10/22/03

Effective dates of request: 07/01/03 – 06/30/05

**Fiscal Analysis (as appropriate):** No fiscal impact known.

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**Background Information:**

Waiver request forms and supporting documents are attached.